



GOVERNMENT OF ANDRA PRADESH
ABSTRACT

Fishermen Co-operative Societies – Revision Petition filed under section 77 of the A.P. Co-operative Societies Act, 1964 by Sri. S.K. Hussaini, and others, Members of the Perurapadu Fishermen Cooperative Society, Perurapadu, Bollapalli Mandal, Guntur District against the proceedings No.3864/I.2/2006, dated.23.9.2011 of the Commissioner of Fisheries Ex-officio Registrar Cooperative Societies, Hyderabad - Dismissal of the Revision Petition – Orders – Issued.

ANIMAL HUSBANDRY DAIRY DEVELOPMENT & FISHERIES (F.II) DEPARTMENT

G.O.(Rt) No. 32

Dated.18.01.2012.

Read the following:

- 1) From the Commissioner of Fisheries, Hyderabad, Progs.No.3864/I.2/ 2006, dated.23.9.2011.
- 2) Revision petition of S.K. Hussaini, and others received through Note No.335/M(AH,DD,F&VU)/ 2011, dt.15-12-2011.

ORDER:

Sri.Sk.Hussaini, and others, Members of the Perurapadu Fishermen Cooperative Society, Perurapadu, Bollapalli Mandal, Guntur District have filed a Revision petition second read above before the Government under section 77 of the A.P.Co-operative Societies Act,1964 against the proceedings of the Commissioner of Fisheries and Ex-Officio Registrar of Cooperative Society in:3864/I.(2)/2006, dated 23-09-2011.

2. As per section 77 of the Andhra Pradesh Co-operative Societies Act,1964, Government may exercise the power to revision in respect of any proceedings not being a proceeding in respect of which an appeal to the Cooperative Tribunal is provided under sub section (1) of Section of 76 of the said Act. Further, section 76 (1) relates to Appeal to the Tribunal, which inter-alia provides that “....any person or society aggrieved by any decision passed or order made under Section 19 and 62, etc., may appeal to the Tribunal constituted under section 75 of the said Act,1964”.

3. This revision petition concern membership of the Perurapadu Fishermen Cooperative Society and dispute related to membership.

4. In view of the above circumstances, Government after careful examination of the Revision petition filed before the Government, and in the light of the above provisions of the said Act, have come to conclusion that the dispute in respect of membership of the Society raised in the revision petitioner attracts section 61 of the said Act and the impugned proceedings of the Commissioner of Fisheries and Ex-officio Registrar Co-operative Societies vide Proc.No.3864/I.(2)/2006 dated 23.9.2011 are the proceedings under section 62 of the said Act for which appellate jurisdiction lies with the Cooperative Tribunal under section 76 of the said Act. Therefore, the Government, have no jurisdiction to entertain the Revision petition filed under section 77 as the appellate jurisdiction for such proceedings lies before the Cooperative Tribunal under Section 76 (1) of the said Act.

(P.T.O)

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5. Accordingly, the Government hereby dismiss the Revision petition filed by Sri Sk.Hussaini and others before the Government on the ground of lack of jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S. BHALE RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

- 1) Sri Sk. Hussaini S/o Sk.Chinna Masthan,
Executive Member,
Perurupadu Fishermen Coop.Society,
Perurupadu, Bollapalli Mandal, Guntur District.
- 2) Sri Yalamandala Yogaiah, S/o Sundaraiah,
Director, Perurupadu Fishermen Coop.Society,
Perurupadu, Bollapalli Mandal, Guntur District.
- 3) Sri Patibandla China Hussain S/o Nabi Saheb,
Director, Perurupadu Fishermen Coop.Society,
Perurupadu, Bollapalli Mandal, Guntur District.

Copy to :

The Commissioner of Fisheries, A.P.Hyderabad.
Mr.U.Ramanjaneyulu, Advocate,
H.No.9-134, P.R.Nagar,
Yerragadda, Hyderabad-18.
P.S to Minister (AH,DD,F & VU)
SF/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER.